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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,973	01/15/2002	Jun Nagasawa	S004-4521	5925
40627	7590	08/23/2007		
ADAMS & WILKS 17 BATTERY PLACE SUITE 1231 NEW YORK, NY 10004			EXAMINER QUELER, ADAM M	
			ART UNIT 2178	PAPER NUMBER
			MAIL DATE 08/23/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/047,973	Applicant(s) NAGASAWA, JUN	
	Examiner Adam M. Queler	Art Unit 2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-8,11-18,21-24 and 26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-8,11-18,21-24 and 26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 August 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |                                                                                         |                                                                             |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date: _____                                                |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____                                                             | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This action is responsive to communications: Amendment filed 05/17/2007.
2. Claims 1,3-8,11-18,21-24 and 26 are pending in the case. Claims 1, 13, and 24 are independent claims.
3. The rejection of claims 11-12 under 35 U.S.C. 112, second paragraph, is withdrawn in view of Applicant's amendment.

#### *Priority*

4. Acknowledgment is made of applicant's claim for foreign priority based on an application filed in JAPAN on 01/24/2001. It is noted, however, that applicant has not filed a certified copy of the 2001-016297 application as required by 35 U.S.C. 119(b).

#### *Claim Objections*

5. Claim 6 objected to because of the following informalities: Claim 6 is dependent on cancelled claim 2. It appears it should be dependent on claim 1 instead. Appropriate correction is required.

#### *Claim Rejections - 35 USC § 103*

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1,3-8,11-18,21-24 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art, and further in view of Winer (US005796401A, published 8/18/1998), and further in view of Okazaki et al.**

(US007079177B2, 7/18/2006). Kelman et al (US006850896B1, 2/1/2005) is cited as evidence regarding drag-and-drop technology.

Regarding independent claim(s) 1, 24, Applicant's Admitted Prior Art teaches a display means (Fig. 3). The display has an image displaying area for displaying a report of analyses results (Fig. 1, 1) and an item displaying area for displaying a list of items corresponding to the analysis conditions configured to be arranged in the image displaying area (Fig. 1, 2). Applicant's Admitted Prior Art teaches the image displaying area was for a printing image (p.1, ll. 17-21).

Applicant's Admitted Prior Art does not explicitly disclose grouping the added items. Winer discloses group editing of the items (col. 3, ll. 13-17), including character position alignment (col. 3, ll. 18-20). Winer discloses that the items contain text (c3.6-11), which inherently include characters and digits. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Applicant's Admitted Prior Art and Winer in order to eliminate the time consuming task of editing items one at a time (Winer, col. 2, ll. 40-50). This would have added group editing means for performing group editing of items in the same group including character position alignment to the display means of Applicant's Admitted Prior Art. Since the items containing the characters/digits would be aligned, the first character of each item would be aligned along with the corresponding item.

Applicant's Admitted Prior Art and Winer do not disclose using drag-and-drop to create a group. Okazaki teaches enabling a user to drag-and-drop an item (member) from one area (group) to a desired position within another area (group) so that the selected item is the second area, and attaching the dropped item (user) to the end of an existing item (other user in the group box) and recognizing both items as belonging to the same group when the existing item is at the

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same position as the dropped item (Fig. 40, col. 12, ll. 21-33). This teaching would be exemplified by moving “user2” into “Group1” (Fig. 40). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the drag-and-drop grouping of Okazaki with Applicant’s Admitted Prior Art and Winer. This combination would have provided for enabling a user to drag-and-drop an item from the item displaying area of Applicant’s Admitted Prior Art to a desired position within the image displaying area of Applicant’s Admitted Prior Art, and attached the dropped item to an existing item and having them belong to the same group of Winer. This would have been obvious for the advantages inherent in Okazaki’s drag-and-drop, namely that dragging-and-dropping is fast and intuitive. Kelman is cited as evidence of this inherent advantage (col. 13, ll. 1-2).

**Regarding independent claim(s) 13**, Applicant’s Admitted Prior Art teaches a display means (Fig. 3). The display has an image displaying area for displaying a report of sample characteristics containing characters and digits (Fig. 1, 1) and an item displaying area for displaying a list of items corresponding to the sample configured to be arranged in the image displaying area (Fig. 1, 2).

Applicant’s Admitted Prior Art does not explicitly disclose grouping the added items. Winer discloses group editing of the items (col. 3, ll. 13-17), including character position alignment (col. 3, ll. 18-20). Winer discloses that the items contain text (c3.6-11), which inherently include characters and digits. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Applicant’s Admitted Prior Art and Winer in order to eliminate the time consuming task of editing items one at a time (Winer, col. 2, ll. 40-50). This would have added group editing means for performing group editing of items in the same

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group including character position alignment to the display means of Applicant's Admitted Prior Art. Since the items containing the characters/digits would be aligned, the first character of each item would be aligned with the corresponding item.

Applicant's Admitted Prior Art and Winer do not disclose using drag-and-drop to create a group. Okazaki teaches enabling a user to drag-and-drop an item (member) from one area (group) to a desired position within another area (group) so that the selected item is the second area, and attaching the dropped item (user) to the end of an existing item (other user in the group box) and recognizing both items as belonging to the same group when the existing item is at the same position as the dropped item (Fig. 40, col. 12, ll. 21-33). This teaching would be exemplified by moving "user2" into "Group1" (Fig. 40). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the drag-and-drop grouping of Okazaki with Applicant's Admitted Prior Art and Winer. This combination would have provided for enabling a user to drag-and-drop an item from the item displaying area of Applicant's Admitted Prior Art to the image displaying area of Applicant's Admitted Prior Art, and attached the dropped item to an existing item and having them belong to the same group of Winer. This would have been obvious for the advantages inherent in Okazaki's drag-and-drop, namely that dragging-and-dropping is fast and intuitive. Kelman is cited as evidence of this inherent advantage (col. 13, ll. 1-2).

**Regarding dependent claim(s) 3**, Applicant admits the font was a display attribute to be changed in the prior art (p. 3, line 2). Applicant's Admitted Prior Art does not explicitly disclose group editing. Winer discloses group editing of the items' attributes, including color (col. 8, ll. 27-38). It would have been obvious to one of ordinary skill in the art at the time of the invention

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to combine Applicant's Admitted Prior Art and Winer to eliminate the time consuming task of editing items one at a time (Winer, col. 2, ll. 40-50). Also, it would have been obvious to one of ordinary skill in the art at the time of the invention to group edit the font (a property desired to be changed in Applicant's Admitted Prior Art), rather than editing each item individually in order to save time (Winer, col. 2, ll. 40-50) and extend the improvement to an attribute that it was common place to edit.

Winer does not explicitly disclose fonts. Applicant admits the font was a display attribute to be changed in the prior art (p. 3, line 2).

**Regarding dependent claim(s) 4**, Applicant's Admitted Prior Art does not explicitly disclose group editing. Winer discloses group editing of the items, including position adjustment (col. 3, ll. 18-20). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Applicant's Admitted Prior Art and Winer to eliminate the time consuming task of editing items one at a time (Winer, col. 2, ll. 40-50).

**Regarding dependent claim(s) 5-8**, Applicant's Admitted Prior Art shows the listed items include a title and contents (p. 2, ll. 12-14).

**Regarding dependent claim(s) 11-12**, Applicant's Admitted Prior Art does not explicitly disclose group editing. Winer discloses group editing of the items, including character position alignment (col. 3, ll. 18-20). It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Applicant's Admitted Prior Art and Winer to eliminate the time consuming task of editing items one at a time (Winer, col. 2, ll. 40-50).

**Regarding dependent claim(s) 14**, Applicant's Admitted Prior Art shows an analysis report including characteristics of a sample and descriptive parameters (Fig. 3).

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**Regarding dependent claim(s) 15**, Applicant's Admitted Prior Art teaches measurement parameters (Fig. 3).

**Regarding dependent claim(s) 16**, Applicant's Admitted Prior Art teaches sample names and analysis dates (Fig. 3).

**Regarding dependent claim(s) 17, 26**, Applicant's Admitted Prior Art teaches a menu bar having a property menu (p.3, ll1-4).

**Regarding dependent claim(s) 18**, Applicant's Admitted Prior Art teaches font and color (p. 3, line 2).

**Regarding dependent claim(s) 22**, Applicant's Admitted Prior Art teaches the image displaying area was for a printing image (p.1, ll. 17-21).

**Regarding dependent claim(s) 21, 23**, Applicant's Admitted Prior Art teaches the areas are disposed adjacently (Fig. 3).

### ***Response to Arguments***

8. Applicant's arguments filed 5/17/2007 have been fully considered but they are not persuasive.

Applicant alleges the prior art does not suggest the character position alignment of the first characters. However, the items of both Applicant's Admitted Prior Art and Winer both include text. Since the items containing the characters/digits would be aligned, the first character of each item would be aligned along with the corresponding item.

### ***Conclusion***

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M. Queler whose telephone number is (571) 272-4140. The examiner can normally be reached on Monday-Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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